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Attorneys for Defendant  
WYNN LAS VEGAS, LLC

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

TIARE RAMIREZ, an individual;  
Plaintiff,  
vs.  
WYNN LAS VEGAS, LLC; DOES I  
through X; and ROE Corporations XI  
through XX, inclusive;;  
Defendant.

Case No. 2:19-cv-01174-APG-DJA

**STIPULATION AND ORDER TO EXTEND  
DISCOVERY DEADLINES**

**(Fourth Request)**

26-3

Pursuant to LR IA 6-1, 6-2, and LR ~~26-4~~, Defendant WYNN LAS VEGAS, LLC. ("Defendant") and Plaintiff TIARE RAMIREZ ("Plaintiff"), by and through their undersigned counsel, hereby stipulate to amend the Discovery Plan and Scheduling Order, (ECF No. 38), by extending the outstanding discovery deadlines for a period of ninety (90) days.

This is the fourth request for an extension to the Discovery Plan and Scheduling Order in this matter. The requested extension is sought in good faith and not for purposes of undue delay. This request is submitted at least twenty-one (21) days or more before each deadline set forth below.

**DISCOVERY COMPLETED TO DATE**

Both parties have exchanged their initial disclosures required under Fed. R. Civ. P. 26(a)(1)(A). Plaintiff served her initial disclosures on September 9, 2019 and her first supplemental

disclosures on November 1, 2019. Defendant served its initial disclosures on September 10, 2019 and its first supplemental disclosures on November 1, 2019. Defendant responded to Plaintiff's first sets of interrogatories and requests for production of documents on November 1, 2019. Plaintiff responded to Defendant's first sets of interrogatories and requests for production of documents on November 1, 2019.

On December 6, 2019, Defendant issued third-party subpoenas for Plaintiff's employment, education and medical records. Plaintiff objected to and moved to quash the subpoenas for Plaintiff's employment and education records (ECF No. 23). Defendant withdrew the subpoenas for Plaintiff's education records but maintained its request for Plaintiff's employment records from Caesars Palace and Able Baker Brewing. The parties fully briefed the issue regarding the discoverability of Plaintiff's employment records and on January 31, 2020, Magistrate Judge Albregts granted in part and denied in part Plaintiff's Motion to Quash Third-Party Subpoenas (ECF No. 26). Plaintiff subsequently filed Objections to Magistrate Judge Albregts' Order, which District Judge Gordon affirmed by Order dated March 3, 2020 (ECF No. 32). Thereafter, Defendant issued amended subpoenas to Caesars Palace and Able Baker Brewing for Plaintiff's employment records in accordance with District Judge Gordon's Order. Defendant received a response to its subpoena from Caesars Palace timely but Able Baker Brewing and treating healthcare provider, D. Ted Cohen responded to the respective subpoenas late.

#### **DISCOVERY THAT REMAINS TO BE COMPLETED**

Plaintiff anticipates taking the deposition of Defendant Wynn Las Vegas, LLC, pursuant to Federal Rule of Civil Procedure 30(b)(6). Plaintiff also anticipates taking the depositions of individuals with knowledge of the facts and circumstances surrounding the allegations in the Complaint. Such individuals are anticipated to include Jeralynn Makaiwi, Karen Sanchez, Melissa Espino-Cascos, and Tia Gibson.

Defendant anticipates taking the deposition of Plaintiff Tiare Ramirez and perhaps others based upon the deposition testimony provided.

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**REASONS FOR EXTENSION TO COMPLETE DISCOVERY**

This extension is necessary and good cause exists for several reasons. The current pandemic caused delays and difficulties in completing discovery due to employee furloughs and business closures (including delayed subpoena responses). In addition, a household member of counsel for Defendant suffering from a chronic health condition suffered a serious decline and recently was transitioned to a long-term care facility, which caused unpredictability in availability for depositions.

Counsel for Plaintiff has also had personal commitments that have delayed such discovery including Plaintiff Counsel's father being in ICU for over thirty days, transferred to IMU, and now in a skilled nursing facility. Plaintiff Counsel is assisting his father in his pending legal matters as well.

**PROPOSED REVISED DISCOVERY PLAN**

1. **Discovery Cut-Off Deadline**

The discovery cut-off deadline shall be extended for ninety (90) days from December 7, 2020 to **Monday, March 8, 2021**.

2. **Dispositive Motions Deadline**

The parties shall file dispositive motions thirty (30) days after the extended discovery cut-off date of March 8, 2021, and therefore, not later than **Wednesday, April 7, 2021**.

3. **Joint Pretrial Order Deadline**

If no dispositive motions are filed, and unless otherwise ordered by this Court, the Joint Pretrial Order shall be filed thirty (30) days after the date set for filing dispositive motions, and therefore, not later than **Friday, May 7, 2021**. In the event dispositive motions are filed, the date for filing the Joint Pretrial Order shall be suspended until thirty (30) days after the Court enters a ruling on the dispositive motions or otherwise by further order of the Court.

4. **Fed. R. Civ. P. 26(a)(3) Disclosures**

The pre-trial disclosures deadline shall be extended for ninety (90) days from February 4, 2021 to **Wednesday, May 5, 2021**.

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5. Extensions or Modification of the Discovery Plan and Scheduling Order

In accordance with Local Rule <sup>26-3</sup>~~26-4~~, any stipulation or motion for modification or extension of this discovery plan and scheduling order must be made at least twenty-one (21) days prior to the expiration of the subject deadline.

6. Trial and Calendar Call

No trial has been set in this matter.

Dated: November 16, 2020

Dated: November 16, 2020

Respectfully submitted,

Respectfully submitted,

/s/ Christian Gabroy, Esq.

/s/ Wendy M. Krincek, Esq.

CHRISTIAN GABROY, ESQ.  
GABROY LAW OFFICES

WENDY KRINCEK, ESQ.  
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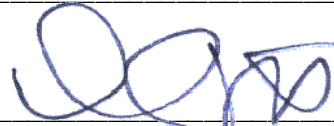
Attorney for Plaintiff  
TIARE RAMIREZ

Attorneys for Defendant  
WYNN LAS VEGAS, LLC

**ORDER**

Because the parties have stipulated to an extension of the discovery deadline, and for good cause appearing, the Court hereby GRANTS the foregoing Stipulation.

Dated: November 17, 2020



UNITED STATES MAGISTRATE JUDGE

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